

AMENDED IN ASSEMBLY MAY 24, 2013

AMENDED IN ASSEMBLY APRIL 23, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 513

Introduced by Assembly Member Frazier
(Principal coauthors: Assembly Members Chesbro and Gordon)
(Coauthors: Assembly Members Ammiano, Garcia, Skinner, and
Stone)

February 20, 2013

An act to add Section 42872.1 to the Public Resources Code, relating to tire recycling, *and making an appropriation therefor*.

LEGISLATIVE COUNSEL'S DIGEST

AB 513, as amended, Frazier. Tire recycling program: rubberized asphalt.

The California Tire Recycling Act ~~(act)~~ requires a person who purchases a new tire to pay a California tire fee, for deposit in the California Tire Recycling Management Fund, for expenditure by the ~~department~~ *Department of Resources Recycling and Recovery*, upon appropriation by the Legislature, to pay the costs of operating the tire recycling program. The act provides that the tire recycling program may include the awarding of grants, loans, subsidies, and rebates and the payment of incentives for various purposes related to reducing landfill disposal of used whole tires and tire recycling.

This bill would establish the Rubberized Asphalt Concrete Market Development Act and would require the department, in accordance with the tire recycling program, to award grants for certain public agency projects that utilize rubberized asphalt concrete. The bill, *on January*

1, 2014, and January 1 of each year thereafter, would require the department to annually expend require the Controller to transfer \$10,000,000 from the moneys authorized to be expended for the tire recycling program, upon appropriation by the Legislature, program to the department to award these grants, thereby making an appropriation. The bill, however, would require the Controller to transfer only \$5,000,000 from the moneys authorized to be expended for the tire recycling program to the department to award these grants for any year that the Department of Finance determines that the balance of the fund equals \$10,000,000 or less. The bill would require the grants to pay \$2 for every 12 pounds of crumb rubber used in a paving project by a public agency. The bill would specify selection procedures if the grant requests exceed the money allocated moneys appropriated.

Vote: majority. Appropriation: ~~no~~ yes. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 42872.1 is added to the Public Resources
 2 Code, to read:
 3 42872.1. (a) This section shall be known, and may be cited,
 4 as the Rubberized Asphalt Concrete Market Development Act.
 5 (b) In accordance with the tire recycling program authorized by
 6 Section 42872, the department shall award grants in the following
 7 manner:
 8 (1) To cities, counties, and other local governmental agencies
 9 for the funding of public works projects that utilize rubberized
 10 asphalt concrete.
 11 (2) To state and local governmental agencies, including regional
 12 park districts, for the funding of disability access projects at parks,
 13 parks and Class I bikeways as defined in subdivision (a) of Section
 14 890.4, relative to projects that utilize rubberized asphalt concrete.
 15 (c) ~~The department shall annually expend~~ *On January 1, 2014,*
 16 *and January 1 of each year thereafter, the Controller shall transfer*
 17 *ten million dollars (\$10,000,000) from the moneys authorized to*
 18 *be expended for the tire recycling program, as specified in Section*
 19 *42889, upon appropriation by the Legislature, to the department*
 20 *to award grants pursuant to subdivision (b), except as provided in*
 21 *subdivision (f).*

1 (d) A grant offered pursuant to subdivision (b) shall pay two
2 dollars (\$2) for every 12 pounds of crumb rubber used in a paving
3 project by a state or local governmental ~~agency~~, agency or a
4 regional park district.

5 (e) If the requests for grants under the program established
6 pursuant to subdivision (b) exceed the ~~money allocated~~ moneys
7 appropriated pursuant to subdivision (c), the department shall
8 select randomly from all eligible applicants.

9 (f) (1) *Notwithstanding subdivision (c), the Controller shall*
10 *transfer only five million dollars (\$5,000,000) from the moneys*
11 *authorized to be expended for the tire recycling program, as*
12 *specified in Section 42889, to the department to award grants*
13 *pursuant to subdivision (b) for any year that the Department of*
14 *Finance determines that the balance of the fund as of January 1*
15 *equals ten million dollars (\$10,000,000) or less.*

16 (2) *Of the moneys transferred pursuant to paragraph (1), the*
17 *department shall disapprove applications for grants submitted*
18 *pursuant to subdivision (b) if there are insufficient moneys in the*
19 *fund.*